

### **REMARKS**

Claims 1-17 are pending in this application. Claims 1, 15, and 17 are independent. In light of the remarks included herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-6, 8, 9, 11, 12 and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over *Posner* (U.S. Patent Application Publication No. 2003/0208435) in view of *Elliott* (USP6,446,053); and rejected claims 7, 10 and 13 under 35 U.S.C. §103(a) as being unpatentable over *Posner* in view of *Elliott* and further in view of *Moulinet et al.* (U.S. Patent Application Publication No. 2001/0032172). Applicants respectfully traverse these rejections.

#### **Claim Rejections – 35 U.S.C. §103 – *Posner/Elliott***

In their previous reply, Applicants argued that the Examiner's reliance on *Elliott* to teach or suggest searching a resource database storing data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work was improper. Applicants argued that *Elliott* merely taught a contractor database that enabled a user to merely search the database for contractors in the designated location. Based upon this teaching, Applicants argued that there could be no teaching or suggestion in *Elliott*, or in the combination of *Posner* with *Elliott*, that is directed to the claimed resource database or processing data related to the resources that were selected from the resource database for completing the project, as required by claim 1.

In response, the Examiner argues in the final Official Action on page 3, starting at line 3 as follows:

Elliott discloses a database storing information of general contractors or individual contractors that the user can search through and submit RFP for the general contractor or individual subcontractors to bid on and then the user can compare the different prices submitted by different contractors. The Examiner notes here that contractors are part of the necessary resources that is needed to complete a project, without the contractors the project would never be accomplished. Therefore, Elliott discloses searching by the user in a resources database for available resources and selects the available resources suitable for completing the projected defined by the statement of work.

Applicants respectfully submit that this response fails to address the Applicants arguments. Even assuming, *arguendo*, that the Examiner's assertions were true, the combination of the teachings of the cited references would still fail to teach processing the data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal. The Examiner has failed to address this argument in the outstanding final Official Action.

Claim 1 clearly recites, *inter alia*, a method comprising searching a resource database storing resource data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work; processing data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal; and preparing an evaluation summary report of the project proposal, detailing the project data and selected resource data of selected available resources for review and approval by the provider of goods or services.

*Elliott* merely teaches a contractor database that enabled a user to merely search the database for the name of contractors in the designated location. The contractor information or location is not processed. The user must submit an RFP to the general contractor or the individual subcontractor in order to obtain detailed information in response to the RFP. The detailed information in response to the RFP is not stored in the contractor database, and the contractor information and location is not processed to generate the price quote and prepare the project proposal.

As such, Applicants maintain that, even when combined as suggested by the Examiner, the resultant system would still fail to teach or suggest the resource data and processing data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal. Based upon this deficiency in the teaching of the cited references, Applicants maintain that the Examiner has failed to establish *prima facie* obviousness by failing to provide references that teach or suggest all of the claim elements.

It is respectfully submitted that claims 2-14 and 16 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully submitted that newly added claims 15 and 17 include elements similar to those

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discussed above with regard to claim 1 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

### Conclusion

In view of the above arguments, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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